



ఆంధ్రప్రదేశ్ రాజపత్రము
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PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**COMMANDANT, HQRS.,
APSPF, TIRUPATI.**

Rc.No.26(TSSPF) / A3 / Comdt.Hqrs / APSPF/TPT / 2019-20.
O.O.No.686/2020.

Date: 20.06.2020.

DISCIPLINARY CASE AGAINST Sri P. BABU RAO, CT-5344 OF APSPF, COMMANDANT OFFICE, TIRUPATI (PREVIOUSLY WORKED AT TSSPF HQRS., SECUNDERABAD) - FINAL ORDERS - ISSUED.

- Ref : 1. Report of the Asst. Commandant, TSSPF, HQrs., Sec'bad vide C.No.6/AC/TSSPF/Hqrs/CL-OSL/2019/133, dated: 07.03.2019.
2. Report of the Asst. Commandant, TSSPF, HQrs., Sec'bad vide C.No.12/AC/TSSPF/Hqrs/OSL/2019/138, dated: 15.03.2019.
3. Recall Memo: C.No.12/AC/TSPF/Hqrs/Recall Memo/2019/134, dated: 07.03.2019 of the AC, TSSPF HQrs., Sec'bad.
4. Recall Memo: Rc.No.E3/TSPF/Recall Memo/2019, dated: 27.03.2019 of the Commandant-III, TSSPF HQrs., Sec'bad.
5. Individual representation, dated:28.03.2019.
6. Taken on duty order: Rc.No.TSSPF/A3/PR/26/2019, O.O.No.A-169/2019, dated: 04.04.2019 of the Commandant-III, TSSPF, Sec'bad.
7. Charge Memo: Rc.No.TSSPF/A3/PR/26/2019, dated: 10.04.2019 of the Commandant-III, TSSPF, Sec'bad.
8. Individual explanation to the Charge Memo, dated: 20.04.2019.
9. Rc.No.A1/TSSPF/75/2014-19, O.O.No.A-213/2019, dated: 24.04.2019 of the Director General, TSSPF, Sec'bad.
10. Rc.No.A1/APSPF/03/2014-19, O.O.No.A-67/2019, dated: 26.04.2019 of the Director General, APSPF, Guntur.

11. Rc.No.APSPF/A3/PR/Genl/2019. dated: 16.05.2019 of the DIG, APSPF, Guntur.
12. Appointing of EO: This Office Rc.No.26(TSSPF)/A3/Comdt.Hqrs/ APSPF/TPT/2019, O.O.No.1223/2019, dtaed:09.10.2019.
13. OE report: Rc.No.13/Insp/SPF/TTD/OE-5344/2020/549, dated:04.03.2020 of the Inspector, APSPF, TTD Tirumala.
14. Show Cause Notice: This Office Rc.No.26(TSSPF)/A3/Comdt.Hqrs /APSPF/TPT/ 2019-20, dated: 17.03.2020.
15. C.No.I3/RI (Admn)/SPF/TPT/Ack/Un-serve/D.No.791, dated:28.04.2020 of the Inspector(Admin), APSPF, Tirupati.
16. This Office Lr. Rc.No.26(TSSPF)/A3/Comdt.Hqrs/APSPF/TPT/ 2019-20, dated:07.05.2020.
17. The A.P. Gazette Notification W.No.23, G.71, dated:08.06.2020.

ORDER:

In the references first and second cited, the Asst. Commandant, TSSPF, Hqrs., Secunderabad submitted reports against Sri P. Babu Rao, CT-5344 stating that, the said Constable who was passported to avail (06) days Casual leave from 26.02.2019 AN to 04.03.2019 AN, did not turn up for duties and became unauthorized absent w.e.f.04.03.2019 AN. Further, two re-call Memos were also sent to the native address of the said Constable vide references third and fourth cited, instructing him to report back for duties immediately.

In the reference fifth cited, Sri P. Babu Rao, CT-5344, after a period of (23) days, reported before the Commandant-III, TSSPF Hqrs., Secunderabad on 28.03.2019 and requested to take him to duty. Accordingly, he was taken to duty on 28.03.2019 FN vide reference sixth cited, pending disciplinary proceedings.

In the reference seventh cited, an Article of Charge was framed against Sri P. Babu Rao, CT-5344 for becoming unauthorized absence for a period of (23) days w.e.f. 05.03.2019 FN to 28.03.2019 FN and explanation called for.

In the reference eighth cited, the Charged Officer i.e., P. Babu Rao, CT-5344 submitted his written explanation to the Article of Charge.

In view of bifurcation of A. P. State, the Charged Officer has been allotted to A. P. state and accordingly he was relieved from TSSPF to APSPF vide reference ninth cited and subsequently, he was posted to Tirupati Zone vide reference tenth cited. Consequently, his PR file was also transferred to APSPF, Tirupati Zone vide reference eleventh cited for disposal of the same.

In the reference twelfth cited, an Oral Enquiry was ordered duly appointing Sri P. Srinivasulu Reddy, Inspector, APSPF, TTD Tirumala as Inquiring Authority to inquire into the charge framed against the said Charged Officer Sri P. Babu Rao, CT-5344.

The Inquiring Authority has conducted an **ex-parte** enquiry as the Charged Officer failed to attend the OE and submitted enquiry report vide reference thirteenth cited duly **"Proving"** the Article of Charge framed against the Charged Officer.

In the reference fourteenth cited, a Show Cause Notice was issued to the Charged Officer inviting further explanation if any, on the enquiry report.

Vide reference fifteenth cited, the Inspector (Admn), APSPF, Tirupati stated that, the copy of the said Show Cause Notice which was sent to his native address by registered post with acknowledgement due, has been returned with postal remarks as *“Addressee left without intimation. Hence returned to sender.”*

In the reference sixteenth cited, the Commissioner, Printing & Stationery Stores Purchase, Vijayawada was requested to publish the Show Cause Notice along with OE report in the A.P. Gazette. Accordingly, the said Show Cause Notice was published in the A.P. Gazette vide reference seventeenth cited. But, the Charged Officer did not submit any explanation to the Show Cause Notice till date.

Having gone through the entire PR file, I agree with the findings and opinion of the Enquiry Officer who proved the Article of Charge framed against the Charged Officer. The Enquiry Officer has conducted an ex-parte enquiry as the Charged Officer failed to attend the OE, even though OE intimation letters dated: 16.11.2019 and 23.01.2020 were sent to his native address by registered post. The Enquiry Officer has proved the charge levelled against the Charged Officer, basing on the statement of the witness and the documentary evidence available.

Further, in reply to the Memorandum of Charge, the Charged Officer stated that, since he was suffering from back pain and to resolve his sister's family problems, he could not report back for duties and over stayed from Casual Leave for a period of (23) days. If he really fell ill health and intended to take medical treatment and rest, he should have reported sick at any SPF unit situated nearby his place of residence to obtain sick passport for medical treatment. But he failed to do so and directly approached a private nursing home at Kasibugga, Srikakulam District on 05.03.2019 as Out-patient and obtained Medical Certificate on 24.03.2019 for (20) days medical rest from 05.03.2019 to 25.03.2019, defying the procedure laid down for this purpose. Further, nothing prevented him to avail any eligible leave to get resolve his sister's domestic problems. Therefore, it is clearly established that, the Charged Officer is a willful absentee on the pretext of ill health and sister's family disputes. This is an Armed Force and any absence by a member of the Force on his own will have lot of bearing on the discipline of the Force. Hence, he deserves to be punished appropriately.

I, therefore, award the Charged Officer with a penalty of ***“Withholding of increment of pay for a period of one year with cumulative effect on future increments and pension”*** under Rule-9(vi) of APCS (CC&A) Rules 1991. The entire un-authorized absence period of (23) days w.e.f. 05.03.2019 FN to 28.03.2019 FN is treated as ***“Not on duty”***.

Receipt of the proceedings be acknowledged.

M. SANKARA RAO,
Commandant, Hqrs.,
A.P. Special Protection Force,
Tirupati.

To

Sri P. Babu Rao, CT-5344 of APSPF, Commandant Office, Tirupati.
(Previously worked at TSSPF HQrs., Secunderabad).

thro' the Inspector (Admn), APSPF, Tirupati - *He is directed to serve the orders on the above individual and return the dated acknowledgement copy to this office immediately.*